

EXTERNAL (for general distribution)

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UA 180/93 Fear of Death Penalty/Fear of Torture

4 June 1993

KUWAIT: Ra'ad 'Abd al-Amir 'Abbud al-Asadi: Iraqi, aged 33
Wali 'Abd al-Hadi 'Abd al-Hassan al-Ghazali: Iraqi, aged 36
Salem Nasser Subaih Rumi al-Shummari: Iraqi, aged 34
Bandar 'Ujail Jaber al-Shummari: Iraqi, aged 24
'Adel Isma'il 'Issa al-'Utaibi: Iraqi, aged 44
Hadi 'Odeh Harjan al-Shummari: Iraqi, aged 42
'Ali Khdair Bday 'Abed al-Majidi: Iraqi, aged 65
Jabbar Nasser 'Inad: Iraqi, aged 43
Daydan 'Atiyya al-Khalidi: Iraqi, aged 38
Jabbar Habib Muhammad al-Kan'ani: Iraqi, aged 56
Badr Jiyad Thamer Mutlaq al-Shummari: Kuwaiti, aged 30
Ahmad Jabbar Habib Muhammad al-Kan'ani: Iraqi, aged 21
Nasser 'Abd al-Ridha Hussain al-Mil: Kuwaiti, aged 43
Salem Jiyad Thamer Mutlaq al-Shummari: Kuwaiti, aged 22

Eleven Iraqis and three Kuwaitis are due to appear before the State Security Court on 5 June 1993 on charges of plotting to assassinate the former United States (US) president George Bush during his visit to Kuwait between 14-16 April 1993. Twelve of the defendants could face the death penalty if convicted.

At a press conference held on 16 May, Kuwait's Public Prosecutor announced that the defendants had "confessed" to acting on behalf of the Iraqi Government in plotting to assassinate the former president. He stated that ten of the defendants (the first 10 named above) face charges including "working with the hostile state of Iraq to achieve this aim, possessing explosives with the aim of committing murder, and spreading fear and committing sabotage". Two other defendants, Badr Jiyad Thamer Mutlaq al-Shummari and Ahmad Jabbar Habib Muhammad al-Kan'ani face charges of complicity in the assassination plot. The Public Prosecutor stated that all these crimes are punishable by death. The remaining two defendants, Nasser 'Abd al-Ridha Hussain al-Mil and Salem Jiyad Thamer Mutlaq al-Shummari were said to have given shelter to some of the accused, but without having any knowledge of the assassination plot. They are to be charged with a lesser offence punishable by up to five years' imprisonment.

Amnesty International is concerned that if convicted, 12 of the defendants may be sentenced to death. The organization is also concerned that the necessary measures to protect the defendants from torture or ill-treatment during interrogation may not have been taken, and that "confessions" extracted under duress may later be used to convict them.

BACKGROUND INFORMATION

On 27 April, the Kuwaiti Government announced it had uncovered an Iraqi Government plot to assassinate George Bush during his visit to Kuwait earlier that month. The government stated that 17 suspects were involved, most of whom had been arrested prior to the visit although one of them is still at large. Of the 16 people arrested, ten of them, all Iraqis, were said to have entered Kuwait illegally in order to carry out the assassination. There, they were allegedly joined by six others, who included one Iraqi, four Kuwaitis and one stateless Arab (bidun). After subsequent investigation,

the government announced that there was no evidence linking two of the suspects (a Kuwaiti and a stateless Arab) to the alleged offence, and their cases were referred to the police on a minor charge. The cases of the remaining 14 were referred to the State Security Court. On 8 May, the Iraqi Government denied any involvement in the matter. No conclusive statement has yet been issued by the US officials from the Federal Bureau of Investigation, the Central Intelligence Agency and the Secret Service, who have been in Kuwait questioning the suspects.

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RECOMMENDED ACTION: Please send telegrams/faxes/express and airmail letters either in English or in your own language:

- urging that the defendants receive a fair trial in accordance with international standards;
- asking for assurances that the defendants are humanely treated and protected from any form of ill-treatment while in custody;
- requesting that defendants are given prompt and regular access to defence counsel and relatives;
- reiterating Amnesty International's unconditional opposition to the death penalty and appealing for the commutation of any death sentences which may be imposed by the State Security Court in these cases.

APPEALS TO

1) His Highness Shaikh Sa'ad al-'Abdallah al-Sabah
Crown Prince and Prime Minister
Al-Diwan al-Amiri
Al-Safat
Kuwait City

Telegrams: His Highness Shaikh Sa'ad al-'Abdallah al-Sabah, Kuwait City, Kuwait
Faxes: +965 243 0121

Salutation: Your Highness

2) His Excellency Mshari al-'Anjari
Minister of Justice and Administrative Affairs
Ministry of Justice and Administrative Affairs
P O Box 6
Al-Safat
Kuwait City

Telegrams: His Excellency Mshari al'Anjari, Kuwait City, Kuwait
Faxes: +965 246 6957

Salutation: Your Excellency

COPIES OF YOUR APPEALS TO:

Local human rights groups:

Kuwait Association for the Defence of War Victims
P O Box 2211, Al-Salmiyya 22023
Kuwait

Faxes: +965 5332233

3) Mr Muhammad 'Abd al-Hay al-Bannay
Public Prosecutor
Ministry of Justice and Administrative Affairs
P O Box 6
Al-Safat
Kuwait City

Telegrams: Mr Muhammad 'Abd al-Hay al-Bannay, Ministry of Justice, Kuwait City, Kuwait
Faxes: +965 246 6957

Salutation: Dear Sir

4) Lieutenant Colonel Muhammad al-Fahed
International Organizations Liaison Office
Ministry of Interior
Al-Safat
Kuwait City

Telegrams: Lieutenant Colonel Muhammad al-Fahed, Ministry of Interior, Kuwait City, Kuwait
Faxes: +965 257 0880

Salutation: Dear Lieutenant Colonel

Committee for the Defence of Human Rights
The National Assembly (Parliament)
Kuwait City, Kuwait
Faxes: +965 2416538

Newspaper:

Al-Qabas
P O Box 21800
Kuwait City 13078, Kuwait
Faxes: +965 4834355

and to diplomatic representatives of Kuwait accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 16 July 1993.